

## Angie Lake

**From:** lawyer.lavigne@gmail.com on behalf of Thomas Lavigne <tom@cannabiscounsel.com>  
**Sent:** Wednesday, December 04, 2013 11:24 PM  
**To:** Angie Lake  
**Subject:** Lawyer-Lavigne of Cannabis Counsel PLC Law Firm

Dear Clerk of the Michigan House Judiciary Committee,

I'd like to testify at the hearing in the morning. I'll come in with 30-copies of a synopsis of my testimony.

I practice law solely on behalf of patients and caregivers under the Michigan Medical Marihuana Act, throughout the State and Federal Courts. As a result, I have unique insights.

I support H.B. 5104, and I'd like to tell you why. I oppose SB 660 as monopolistic, by Prairie Plant Systems. I support H.B. 4271 with the following changes:

Corrected spelling at Pg. 10 Sec. 7(4)(b), to change "certain" to "contain" as intended.

Sections 3(1)(e) and Sec. 10(1)(e) ought not narrow our immunities language afforded under Sections 4(a), (b), and (i), which each read: "including but not limited to" - whereas these Sections just say "including". This was exploited in the Wal-Mart case. Also, to undo the Wal-Mart case, put a comma after the word "business".

My problem with Section 3(1) is: what if no municipal license or registration is applicable?

Also, alternatively, I generally oppose the local option, because too many municipalities will ban provisioning centers. Alternatively, if the local option must remain, it should either be the option to ban or not to ban, rather than parsing the otherwise permitted activities under the medical marihuana provisioning center regulation act. This would require changes at Section 3(2)(b), (c), (h); and Section 4(1)(e); and Sec. 10(2)(b)(ii) and (3)(b)(ii).

At Section 3a and 5(1) and 5(3) add "is not prohibited after 5-years" by a municipality, allowing a grace period to these caregivers who have been under such uncivilized attack for so long.

Omit Sec.5(2); Sec. 7(9); and Section 7(16) clause 1 so as to allow doctors to advertise at provisioning centers.

Sec. 7(1) omit "house of worship" 1000 foot distance requirement. We are not pedophiles, like many churches hide inside.

Sec. 8(3) and (4) omit the crime and impose a higher civil fine, like \$7,500.

Allow provisioning centers to grow. Change Sec. 2(e) definition of "provisioning center" to include growing; and omit Sec. 9(5).

Change Sec. 11(2)(b) to allow physicians not be independent from a Safety Compliance Facility.

Thanks,

Thomas Lavigne JD

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